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July 19, 2024

VIA ELECTRONIC FILING

Honorable Mitchell J. Katz

United States District Court, Northern District of New York

James M. Hanley Federal Bldg. P.O. Box 7346

Syracuse, New York 13261

Re: Estate of JLA v. The Town of Dewitt et. al. 5:22-cv-00287-MAD-MJK

Dear Judge Katz;

As directed by the Court, the parties have researched and conferred regarding the joinder of Sgt. Brent in the above action. It would appear that there is not an available tolling provision under either the EPTL or the Executive Orders issued during the pandemic. Due to the foregoing, Sgt. Brent will not be able to be joined.

However, it remains that the complaint should be amended to reflect the dismissal of the other defendants and to narrow the scope of the Complaint as to Defendant Fike. I respectfully request a motion return date for the filing of the appropriate motion and proposed Amended Complaint.

Thank you for your courtesy and consideration.

Respectfully yours,

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